

**UNITED STATES COURT OF APPEALS
FOR THE NINTH CIRCUIT**

MICHAEL SKIDMORE, <i>etc.</i> ,)	No. 16-56057
Plaintiff - Appellant,)	D.C. No. 2:15-cv-03462-RGK-
v.)	AGR
LED ZEPPELIN, <i>et al.</i> ,)	U.S. District Court
Defendants - Appellees.)	Central District of California, Los Angeles
)	
WARNER/CHAPPELL MUSIC, INC.,)	No. 16-56287
Defendant - Appellant,)	
v.)	
MICHAEL SKIDMORE, <i>etc.</i> ,)	
Plaintiff - Appellee.)	
)	

APPEAL FROM THE UNITED STATES DISTRICT COURT
FOR THE CENTRAL DISTRICT OF CALIFORNIA
HONORABLE R. GARY KLAUSNER, DISTRICT JUDGE PRESIDING

MOTION FOR LEAVE TO TRANSMIT EXHIBITS

Peter J. Anderson, Esq. Law Offices of Peter J. Anderson, A P.C. 100 Wilshire Boulevard, Suite 2010 Santa Monica, CA 90401 T: (310) 260-6030 F: (310) 260-6040 Attorney for Defendants-Appellees and Defendant, Appellee and Appellant Warner/Chappell Music, Inc.	Helene M. Freeman, Esq. Phillips Nizer LLP 666 Fifth Avenue New York, NY 10103-0084 T: (212) 977-9700 F: (212) 262-5152 Attorney for Defendants-Appellees James Patrick Page, Robert Anthony Plant and John Paul Jones
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MOTION FOR LEAVE TO TRANSMIT EXHIBITS

Pursuant to Circuit Rule 27-14, defendants-appellees and defendant-appellee-appellant respectfully move this Honorable Court for an Order granting them leave to transmit to the Court a copy of certain exhibits in the action below.

This Motion is made upon the grounds that the following exhibits admitted at trial are not currently available on the District Court's electronic docket but are necessary to the resolution of issues raised in these appeals and relied upon in defendants' accompanying Answering and Opening Brief:

1. Trial Exhibit 51A (recording of defendants' master guitarist and arranger performing the copyrighted *Taurus* musical composition deposit copy);
2. Trial Exhibit 61A (recording of defendants' musicologist performing the *Taurus* deposit copy);
3. Trial Exhibit 319 (poster for the Texas International Pop Festival);
4. Trial Exhibit 450 (Superior Court Stipulation and Order);
5. Trial Exhibit 501-0001 (plaintiff-appellant-appellee's musicologist's exhibit *re* number of notes used from descending chromatic scale);

6. Trial Exhibit 509 (plaintiff's musicologist's chart of pitches in two measures of *Taurus* deposit copy and *Stairway to Heaven*);
7. Trial Exhibit 525V (recording of plaintiff's master guitarist performing the *Taurus* deposit copy);
8. Trial Exhibit 527V (recording of plaintiff's master guitarist performing the bass clef, only, of the *Taurus* deposit copy);
9. Trial Exhibit 535 (plaintiff's copy of a portion of a photograph purporting to show Robert Plant talking to Mark Andes);
10. Trial Exhibit 2058 (*Taurus* deposit copy);
11. Trial Exhibit 2070 (1967 Exclusive Songwriter's and Composer's Agreement);
12. Trial Exhibits 2092 (defendants' musicologist's Federal Rule of Civil Procedure 26(a)(2)(B) report);
13. Trial Exhibit 2114 (photocopy of CD showing songs performed by Spirit at February 3, 1970 concert in London, England);
14. Trial Exhibit 2405 (defendants' musicologist's excerpts of published music books);
15. Trial Exhibit 2705 (excerpt of defendants' musicologist's Rule 26(a)(2)(B) report marked to show plaintiff's musicologist's claimed "pairs" of notes);

16. Trial Exhibit 2961 (recording of defendants' master guitarist and arranger performing *To Catch a Shad*); and
17. Trial Exhibit 2964 (Hollenbeck Music's 1967 registration of copyright in the *Taurus* musical composition).

Trial Exhibits 61A, 319, 501-0001 (which plaintiff refers to as 501-1), 509 (which plaintiff refers to as 509-1), 525V, 527V, 535, 2058 and 2705 are also within plaintiff's March 15, 2017 motion to transmit exhibits (Dkt. Entry 14).

This Motion is made after consultation with plaintiff's counsel, who advised that they do not intend to oppose this Motion.

Respectfully submitted,

Dated: June 2, 2017

/s/ Peter J. Anderson

Peter J. Anderson, Esq.

LAW OFFICES OF PETER J. ANDERSON

A Professional Corporation

Attorney for Defendants and Appellees

JAMES PATRICK PAGE, ROBERT

ANTHONY PLANT, JOHN PAUL JONES,

ATLANTIC RECORDING CORPORATION,

RHINO ENTERTAINMENT COMPANY,

SUPER HYPE PUBLISHING, INC., and

WARNER MUSIC GROUP CORP.

and Defendant, Appellee and Appellant

WARNER/CHAPPELL MUSIC, INC.

Helene M. Freeman, Esq.
PHILLIPS NIZER LLP
Attorney for Defendants-Appellees
JAMES PATRICK PAGE,
ROBERT ANTHONY PLANT
and JOHN PAUL JONES

DECLARATION OF PETER J. ANDERSON

I, Peter J. Anderson, declare and state:

1. I am an attorney admitted to practice before this Court and all Courts of the State of California. I have personal knowledge of the following facts and I could competently testify to these facts if called upon to do so.

2. I represent defendants and appellees James Patrick Page, Robert Anthony Plant, John Paul Jones, Atlantic Recording Corporation, Rhino Entertainment Company, Super Hype Publishing, Inc., and Warner Music Group Corp., and defendant, appellee and appellant Warner/Chappell Music, Inc.

3. This Declaration is submitted in support of defendants' Motion for leave to transmit to this Court certain exhibits admitted at the trial of the action below.

4. I am familiar with the issues in these consolidated appeals. I believe that these exhibits are necessary to the resolution of those issues and, for that reason, these exhibits are cited in the accompanying Answering and Opening Brief.

I declare under penalty of perjury that the foregoing is true and correct. Executed on June 2, 2017 in Los Angeles County, California.

/s/ Peter J. Anderson
PETER J. ANDERSON

CERTIFICATE OF COMPLIANCE

This Motion complies with the page limitation of Federal Rule of Appellate Procedure 27(d)(2) because this Motion, exclusive of the supporting Declaration, is less than 20 pages in length. This Motion also complies with Rule 27(d)(1)(E) and the typeface requirements of Rule 32(a)(5) and the type style requirements of Rule 32(a)(6) because this Motion has been prepared in a proportionally spaced typeface using Microsoft Word in 14-point type size in New Times Roman type style.

Dated: June 2, 2017

/s/ Peter J. Anderson

Peter J. Anderson, Esq.

LAW OFFICES OF PETER J. ANDERSON

A Professional Corporation

Attorney for Defendants and Appellees

JAMES PATRICK PAGE, ROBERT
ANTHONY PLANT, JOHN PAUL JONES,
ATLANTIC RECORDING CORPORATION,
RHINO ENTERTAINMENT COMPANY,
SUPER HYPE PUBLISHING, INC., and
WARNER MUSIC GROUP CORP.
and Defendant, Appellee and Appellant
WARNER/CHAPPELL MUSIC, INC.

CERTIFICATE OF SERVICE

I hereby certify that on June 2, 2017, I electronically filed the foregoing document with the Clerk of the Court for the United States Court of Appeals for the Ninth Circuit by using the appellate CM/ECF System.

Participants in the case who are registered CM/ECF users will be served by the appellate CM/ECF system.

I further certify that at least one of the counsel for each participant in the case is a registered CM/ECF user.

Dated: June 2, 2017

/s/ Peter J. Anderson
PETER J. ANDERSON